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09/917,258	07/27/2001	Katsuhiko Makino	020274-000200US	7802

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EXAMINER

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3628

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Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Response to Amendment

This Office Action is responsive to Applicant's amendment and request for reconsideration of application 9/917,258 filed on May 22, 2006.

The amendment contains original claims: 4-5, 7, 9-12

The amendment contains amended claims: 3, 6, 13-24

The amendment contains new claims: 32-35

The following claims have been canceled: 1-2, 8, 25-31

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 3-6, 14-17, 22-24 and 32-35 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,973,442 B1 to Drummond et al (further referred to as Drummond).

Regarding claim 32, Drummond discloses in a bank processing network (column 6, lines 25-41) having a plurality of automated teller machines (ATMs) (column 6, lines 25-41) and an information processing system (column 6, lines 25-67), wherein the information processing system comprises a central marketing customer information file (MCIF) server and at least one integrated ATM monitoring apparatus (column 5, lines 5-7; column 9, lines 1-40; column 10, lines 25-43; column 16, lines 9-67; column 18, line 62 – column 19, line 67), wherein the ATM monitoring apparatus and the ATMs are in two-way communication with each other and are located at a branch office of the bank (column 6, lines 32-41; column 10, lines 25-43), a method for providing customer service information to a customer conducting a transaction at one of the ATMs (column 16, lines 4-67), the method comprising:

Storing customer service information at the MCIF server (column 15, line 65 – column 16, line 3; column 16, lines 22-28; column 17, lines 1-4), the customer service information including customer attribute information and associated customer offer information, the customer offer information relating to customer specific marketing to a customer based on customer attribute information of that customer (column 16, lines 22-32);

In advance of a customer transaction, downloading at least parts of the customer service information from the MCIF server to the ATM monitoring apparatus, and arranging the customer service information at the ATM monitoring apparatus (column 10, line 64 – column 11, line 42; column 18, line 62 – column 19, line 67);

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Transmitting customer specific information from an ATM to the ATM monitoring apparatus in response to a customer conducting a transaction at the terminal (column 7, lines 25-48; column 11, lines 16-42; column 16, line 4 – column 17, line 5; column 17, line 51 – column 18, line 9; column 18, line 62 – column 19, line 67); and

Providing selected customer offer information from the ATM monitoring apparatus to the ATM in response to the customer specific information (column 7, lines 25-48; column 11, lines 16-42; column 16, line 4 – column 17, line 5; column 17, line 51 – column 18, line 9; column 18, line 62 – column 19, line 67).

Regarding claim 33, Drummond discloses the method further comprising:

Storing a plurality of screen displays in advance at the ATM, each screen display relating to a different customer offer information (column 18, line 62 – column 19, line 67); and

Displaying one of the screen displays at the ATM in response to the selected customer offer information being provided from the ATM monitoring apparatus to the ATM (column 7, lines 25-48; column 11, lines 16-42; column 16, line 4 – column 17, line 5; column 17, line 51 – column 18, line 9; column 18, line 62 – column 19, line 67).

Regarding claim 34, Drummond discloses the method wherein the bank processing network further comprises a central accounting system for storing transaction data for conducting transactions at the ATM, the central accounting system being separate from the central MCIF server (column 5, lines 5-19; column 10, lines 34-

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36; column 18, line 62 – column 19, line 67), and wherein the bank branch office is located remotely from the central accounting system and the central MCIF server (column 6, lines 25-41; column 11, lines 26-32).

Regarding claim 35, Drummond discloses the method wherein the network is operated by one bank with a plurality of remote bank branch offices, wherein the central accounting system and the central MCIF server are located at a central location of the bank, and wherein the ATM monitoring apparatus and the ATMs are located at one of the branch offices of the bank (column 6, lines 25-41; column 11, lines 26-32; column 18, line 62 – column 19, line 67).

Regarding claim 3, Drummond discloses the method wherein the customer attribute information comprises information identifying either one or both of (a) particular personal attributes of the customer and (b) attributes of an account maintained for the customer (column 13, lines 13-34; column 16, lines 1-3 and 22-28).

Regarding claim 4, Drummond discloses wherein the customer attribute information further comprises data identifying the bank account of the customer (column 5, lines 5-19).

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Regarding claim 5, Drummond discloses the method wherein the customer attribute information further comprises the address of the customer (column 12, lines 53-56; column 13, lines 24-30).

Regarding claim 6, Drummond discloses the method wherein the customer attribute information further comprises data relating to prior transactions conducted by the customer (column 16, lines 25-29; column 23, lines 13-18).

Regarding claim 14, Drummond discloses the method wherein the customer offer information relates to information for implementing a customer specific service to a plurality of customers having related customer attribute information (column 17, line 65-column 18, line 1).

Regarding claim 15, Drummond discloses the method wherein the terminal dispenses a card to the customer and wherein the customer offer information relates to display information to be printed on the card by the terminal (column 1, lines 39-42). Drummond discloses coupons, tickets, etc. all of which could be "cards" which is a relative term and will be interpreted to include items as disclosed by Drummond.

Regarding claim 16, Drummond discloses the method wherein the customer offer information relates to display information of potential interest to a plurality of customers having related customer attribute information, said display information comprising

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promotion display information relating to a promotional event of potential interest to the customers (column 17, line 65-column 18, line 1).

Regarding claim 17, Drummond discloses the method wherein the display information further comprises administrator display information relating to instructions for directing the customers to a human administrator for further action in connection with the promotional event (column 16, lines 15-67).

Regarding claim 22, Drummond discloses the method wherein the customer specific information transmitted from the ATM comprises data identifying the customer (column 12, line 37 – column 13, line 30; column 14, lines 20-27).

Regarding claim 23, Drummond discloses the method wherein the customer specific information transmitted from the ATM further comprises data identifying the type of transaction being conducted by the customer (column 9, lines 47-52; column 13, line 60 – column 14, line 5; column 17, lines 12-25).

Regarding claim 24, Drummond discloses the method wherein the customer specific information transmitted from the ATM further comprises data identifying an account of the customer (column 12, line 37 – column 13; column 16, lines 22-33; column 17, lines 6-40).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Drummond as applied to claim 3 above, and further in view of "Citibank Unveils New Automatic Teller Machine Technology to Aid Individuals with Disabilities" by S. Weeks, Sept. 30, 1992 (further referred to as Weeks).

Regarding claim 7, Drummond does not disclose wherein the customer attribute information further comprises data identifying whether the customer is sight-impaired and wherein the customer offer information operates the terminal so as to increase the size of the transaction information displayed on the terminal.

Drummond does disclose storing customer attribute information wherein examples of information stored include gender and customer preferences (column 16, lines 22-32), the use of HTML documents with tags assigned to control such features as fonts and layouts, such that the tags tell the browser how to display the information (page 2, lines 50-63), and wherein user information is stored and wherein users can establish preferences based on their stored information and wherein tags are used to display items on the screen according to those tags. Examiner takes Official Notice that the customer preference storing and use of HTML tags for feature and display control is old and well known. It would have been obvious to one of ordinary skill in the art at the time of invention that tags could be used to indicate printing larger font for those customers who are visually impaired, the motivation being to enable all customers access to the ATM in a manner in which they could make use of the machine.

Further, Weeks discloses ATM technology to facilitate the accessibility of such individuals as visually impaired through the use of a large font size (page 2, lines 5-7 and lines 19-21).

It would be obvious to one of ordinary skill in the art to combine the use of large font size for conducting ATM transactions by the visually impaired as disclosed by Weeks with the ATM system as disclosed by Drummond. The motivation would be to provide ATM services for all individuals using existing technology to do so.

Claim 9-11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drummond as applied to claim 3 above, and further in view of "Neglected

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Shoppers Rejoice: Customer Service is Returning" by B. Aarsteinsen, Nov. 9, 1990 (further referred to as Aarsteinsen).

Regarding claim 9, Drummond does not disclose the method wherein the customer attribute information comprises data identifying the customer as having special customer status. However, Aarsteinsen discloses the method wherein the customer attribute information comprises data identifying the customer as having special customer status (page 2, lines 49-52). It would be obvious to one of ordinary skill in the art to combine using the label of special customer as disclosed by Aarsteinsen with the ATM promotional and communication services as disclosed by Drummond. The motivation would be to create a label for the customers which Drummond segments/individualizes when their profile indicates they are a special customer and deserving of attention and focus.

Regarding claim 10, Drummond does not disclose the method wherein the customer offer information comprises data causing the information processing system to notify a human administrator of the special customer status. However, Aarsteinsen discloses the method wherein the customer offer information comprises data causing the information processing system to notify a human administrator of the special customer status (page 2, lines 14-19). It would be obvious to one of ordinary skill in the art to combine notifying a human administrator regarding a special customer as disclosed by Aarsteinsen with the ATM promotional and communication services as

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disclosed by Drummond. The motivation would be to be sure that special customers were given the highest level of service available and to have a positive experience during their transaction.

Regarding claim 11, Drummond does not disclose the method wherein the customer attribute information comprises data identifying the customer as having preferred customer status. However, Aarsteinsen discloses the method wherein the customer attribute information comprises data identifying the customer as having preferred customer status (page 2, lines 49-52). It would be obvious to one of ordinary skill in the art to combine using the label of preferred customer as disclosed by Aarsteinsen with the ATM promotional and communication services as disclosed by Drummond. The motivation would be to create a label for the customers which Drummond segments when their profile indicates they are a preferred customer. The use of special or preferred customer designation is used in various applications in industry such as frequent flier airline awards programs, frequent guest hotel awards programs, frequent diner award programs is well known. In addition to programs related to frequency of interaction, guests of special status are identified based on prestige, title (President, CEO, etc.), level of savings accounts such as high-yield account holders, large-scale investors, etc. These individuals are often addressed by the more senior management, provided with special services, special allowances made, etc. For example, when a frequent flier checks in, the attribute information related to their account immediately identifies that traveler as a frequent flier and special boarding

and sometimes seat upgrades are offered based on that data. They are both a special customer, and a customer with preferred status.

Regarding claim 13, Drummond discloses the method wherein the customer offer information relates to display information to be displayed at the terminal and directing the customer to a human administrator (column 16, lines 47-55).

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Drummond and Aarsteinsen as applied to claim 9 above, and further in view of "Freddie Mac is Avoiding Bad Loans" by P. Reeves, Nov. 23, 1997 (further referred to as Reeves). Neither Drummond nor Aarsteinsen disclose the method wherein the special customer status is a poor credit status. However, Reeves discloses the method wherein the special customer status is a poor credit status (page 1, lines 9-14). It would be obvious to one of ordinary skill in the art to combine the label of poor credit as disclosed by Reeves with the ATM promotional and communication services as disclosed by Drummond and Aarsteinsen. The motivation would be to create a label for the customers which Drummond and Aarsteinsen segment/individualize when their profile indicates they are a special customer and deserving of attention and focus such that special attention is noted regarding their poor credit.

Claims 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drummond as applied to claim 17 above, and further in view of "Tanger Shoppers Score

Big Outlet Savings During Super Bowl Scratch and Win Event” on PR Newswire, Dec, 1999 (further referred to as PR Newswire).

Regarding claim 18, Drummond does not disclose the method wherein the promotion display information is printed on a game card dispensed at the terminal, the game card separately having portions to be rubbed away to reveal information relating to game awards.

However, PR Newswire discloses promotion display information printed on a game card dispensed at the terminal, the game card separately having portions to be rubbed away to reveal information relating to game awards (page 1, lines 11-14). It would be obvious to one of ordinary skill in the art to combine the distribution of game cards as disclosed by PR Newswire with the ATM dispensing mechanism as disclosed by Drummond. The motivation would be that in addition to vouchers and receipts and cash and tickets, etc. distributed, game cards would be distributed as an incentive to use the machine, or to build loyalty to the sponsoring institution.

Regarding claim 19, Drummond discloses the method wherein the customer offer information further relates to transaction display information on one or more transactions that may be selected by the customers and then conducted at the ATM (column 3, lines 20-25 and lines 48-51; column 16, lines 40-55; column 17, lines 12-15).

Regarding claim 20, Drummond discloses the method wherein the transaction display information displays information concerning standard transactions that are applicable to all customers who may use the ATM, and such transaction display information is displayed when neither of the promotion display information and the administrator display information is transmitted by the information processing system to the ATM (column 3, lines 20-25; column 10, line 64 – column 11, line 8; column 21, lines 61-67).

Regarding claim 21, Drummond discloses the method wherein the transaction display information is displayed when the promotion display information and the administrator display information is not displayed to the customer within a predetermined period of time after initiating a transaction at the ATM (column 14, lines 48-60; column 17, line 51 – column 18, line 10).

Response to Arguments

Applicant has argued that Drummond does not teach a network in which a MCIF server is used, in addition to an ATM monitoring apparatus, where the ATM monitoring apparatus is located at a branch office. However, Drummond discloses a customer database file is used, which is a MCIF as well as an ATM monitoring apparatus (column 5, lines 5-7; column 9, lines 1-40; column 10, lines 25-43; column 16, lines 9-67; column 18, line 62 – column 19, line 67). Customer marketing information is stored, such that personalized and individual services can be provided to a customer. Local ATM

machines and the central network are in communication with one another, and monitoring occurs as transactions are undergone and personalization of services are offered based on the user. Further, Applicant discloses the use of MCIF servers as old and well known in the art in paragraph 3 of the background of the invention.

Drummond discloses where the central system, at the central server location, sends first customer service information where the information is sent to the ATM monitoring apparatus (column 10, line 64 – column 11, line 42; column 11, lines 26-32; column 18, lines 2-9; column 18, line 62 – column 19, line 67), and customer specific information being sent to the ATM and provided to the user (column 7, lines 25-48; column 11, lines 16-42; column 16, line 4 – column 17, line 5; column 17, line 51 – column 18, line 9; column 18, line 62 – column 19, line 67).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday – Friday, 8:30 – 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached at 571-272-6799. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Liversedge

Examiner

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